

REMARKS

Claims 1-17 are pending. Claims 1-3 and 5-17 are presented for consideration. Claims 16-17 are new. Claim 4 was previously withdrawn from consideration. No claim is amended. No claim is cancelled.

Claim 2 is currently the subject of a provisional obviousness-type double patenting rejection. Applicants reserve the right to file a terminal disclaimer should claim 2 be deemed otherwise allowable.

Claims 1-3 and 5-15 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. 6,850,564 to Pejhan et al., (hereinafter referred to as ("Pejhan").

Specifically in regards to claim 1, the Office Action asserts that,

"Pejhan discloses a codec (Pejhan: column 3, lines 20-30), comprising: an encoder (Pejhan: column 3, lines 27-31) that includes a first plurality of variable parameters (Pejhan: column 5, lines 1-6) that are used to specify different settings at which a coding algorithm applied to incoming video data operates (Pejhan: column 3, lines 5-21);"

Applicants respectfully disagree and point out that in column 5, lines 1-6, Pejhan recites a selection list of multiple difference coding algorithms (or coding modes) from which to choose, but does not recited a list of variable parameters for each coding mode (or for any single coding mode). That is, Pejham does not recite any variable parameters for any of the 5 recited coding modes, or coding algorithms. In column 4, line 66 to column 5 lines 1-6, Pejham explains that MPEG-2 provides at least 5 different coding modes, so before one can use the "motion compensation prediction" one needs to specify which coding mode will be used. That is, one first selects 1 of the 5 different coding modes available. Specifically, Pejham states (Col. 4, line 66 to Col. 5, line 6):

"Furthermore, prior to performing motion compensation prediction for a given macroblock, a coding mode must be selected. In the area of coding mode decision, MPEG provides a plurality of different macroblock coding modes. Specifically, MPEG-2 provides macroblock coding modes which include intra mode, no motion compensation mode (No MC), frame/field/dual-prime motion compensation inter mode, forward/backward/average inter mode and field/frame DCT mode."

It is noted that a macroblock refers to a block of pixels to be encoded (col. 6, lines 56-60).

Thus, Pejhan does not teach or suggest variable parameters for changing specify settings of a coding algorithm. Once Pejhan's coding mode is selected, no option is described for changing variable parameters for the selected coding mode.

Further in reference to claim 1, the Office Action states that,

"a decoder that includes a second plurality of variable parameters that are used to specify different settings at which a decoding algorithm applied to outgoing video data operates (Pejhan: figure 1, element 114)"

Applicants respectfully point out that while figure 1, element 114 does show a "decoder", nowhere in the figure, or in the text of the Pejhan reference, is decoder 114 described as having a decoding algorithm with multiple variable parameters to changing different settings in the decoding algorithm. Applicants respectfully request clarification of where within the Pejhan reference support is found for a decoder having multiple variable parameters that can be changed during execution of the decoding algorithm.

Also in regards to claim 1, the Office Action asserts that Pejhan shows,

"...the codec is configured such that, during operation, at least one of the coding algorithm and decoding algorithm is able to dynamically change its operating setting according to available computational resources in response to actual complexity measurements performed at run-time (Pejhan: column 3, lines 10-20)"

Applicants respectfully disagree, and point out that column 3, lines 10-20 describe the drawbacks of using Pejhan's prior art techniques (i.e requirement of costly, specialty hardware, and difficulty in implementation), but does not describe any coding algorithm (either encoding algorithm or decoding algorithm) having variable parameters that can be changed dynamically during operation of the coding algorithm. Applicants respectfully request clarification of where in the cited reference is described an encoding algorithm or decoding algorithm having variable parameters for controlling coding settings that can be changed dynamically during operation of the coding algorithm.

In regards to claim 2, the Office Action asserts that,

"Regarding claim 2, Pejhan discloses wherein the first plurality of variable parameters that are used to specify the different settings at which the coding algorithm operates include motion-search window, motion-search algorithm, motion-search sum-of-absolute-differences measurement sub-sampling factor, and motion-search half-pel refinement none/x-only/x-and-y (Pejhan: column 6, lines 45-67; column 7, lines 1-47), as in the claim."

Applicants respectfully point out that neither col. 6, lines 45-67 nor col. 7, lines 1-47 make any mention of an encoding algorithm having dynamic, variable parameters for any of the recited: "motion-search window, motion-search algorithm, motion-search sum-of-absolute-differences measurement sub-sampling factor, and motion-search half-pel refinement none/x-only/x-and-y"; and specifically do not mention an encoding algorithm that can changes these parameters during operation (i.e. dynamically during execution) of the encoding algorithm. Applicants are at loss for determining the relevance of the cited excerpt. Clarification is respectfully requested.

In regards to claim 3, the Office Action asserts that

"Regarding claim 3, Pejhan discloses wherein the second plurality of variable parameters that are used to specify the different settings at which the decoding algorithm operates include IDCT, chroma-skipping, and frame-display skipping (Pejhan: column 3, lines 45-60; column 4, lines 7-30)"

Again, the cited excerpt (Pejhan, col. 3, lines 45-60 and col. 4, lines 7-30) make no mention of a decoding algorithm having dynamic, variable parameters for "IDCT, chroma-skipping, and frame-display skipping"; and specifically does not specify that these non-mentioned parameters can be changed during operation of the decoding algorithm. Clarification is again respectfully requested.

To further emphasizes that the present invention relates to variable parameters of a single encoding algorithm and single decoding algorithm, while Pejhan describes the selection of multiple different encoding coding algorithms (i.e coding modes) (and makes no mention of selection of different decoding algorithms), new claims 16 and 17 specify that the recited two sets of variable parameters respectfully relate to a single encoding algorithm and a single decoding algorithm, and not to a selection of different encoding coding algorithms.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration of the present application.

Respectfully submitted,

/Rosalio Haro/
Rosalio Haro
Registration No. 42,633

Please address all correspondence to:

Epson Research and Development, Inc.
Intellectual Property Department
2580 Orchard Parkway, Suite 225
San Jose, CA 95131
Phone: (408) 952-6131
Facsimile: (408) 954-9058
Customer No. 20178

Date: October 1, 2008